## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

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) Case No. 2:08CV00052
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) FINAL ORDER
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) By: James P. Jones
) Chief United States District Judge
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For the reasons stated in the Opinion accompanying this Final Order, it is hereby **ORDERED** that the defendant's Motion to Dismiss is GRANTED, and this action is DISMISSED.

The clerk will close the case.

ENTER: March 6, 2009

/s/ James P. Jones

Chief United States District Judge